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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT SEATTLE

11                  CHARLES PHILIPPART,

12                  Plaintiff,

13                  v.

14                  COMMISIONER OF SOCIAL  
15                  SECURITY,

16                  Defendant.

17                  CASE NO. C18-1618 MJP

18                  ORDER ON MOTION FOR  
19                  ATTORNEY'S FEES

20                  This matter comes before the Court on Plaintiff's Motion for Attorney Fees. (Dkt. No.  
21                  18.) Having reviewed the Motion, the Response (Dkt. No. 21), and all supporting materials, the  
22                  Court GRANTS the Motion.

23                  The Court finds that fees are properly awarded under 42 U.S.C. § 406(b). Specifically,  
24                  the Court finds that the nature of the results achieved and the time spent justifies an award and  
that the requested amount (\$10,728.37) is reasonable. Additionally, counsel asks that the Court  
deduct from the \$10,728.37 those fees she has already received under the Equal Access to Justice  
Act. The Motion states that counsel has received \$2,990.48 (Dkt. No. 18), while counsel's

1 declaration and supporting materials state that she received \$2,894.08 (Dkt. No. 19). The Court  
2 relies on the declaration of counsel and supporting materials, which show the amount received  
3 was \$2,894.08, not the \$2,990.48 reported in the Motion. (Compare Dkt. No. 18 with 19.)  
4 Applying this deduction, the Court AWARDS \$7,834.29 in fees under 42 U.S.C. § 406(b). (Dkt.  
5 No. 19.) The Court notes that this award differs from the award requested in Motion—\$4,940.95.  
6 (Dkt. No. 18 at 1.) The Court has not awarded this lower figure because it does not appear to  
7 derive from the supporting materials and it is not the sum derived from the subtraction of  
8 \$2,894.08 from \$10,728.37.

9 In accordance with agency policy, if the Social Security Administration is still  
10 withholding this amount, it is directed to send this amount to Plaintiff's attorney, Amy  
11 Gilbrough, minus any applicable fees ordered by statute. If the Commissioner has not withheld  
12 past-due benefits sufficient to satisfy this order and Plaintiff's attorney reports she is unable to  
13 collect the fee from the claimant, the Commissioner will satisfy this order via the procedures in  
14 the Program Operation Manual System (POMS) GN 03920.055C.

15 The clerk is ordered to provide copies of this order to all counsel.

16 Dated June 18, 2024.

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18 Marsha J. Pechman  
19 United States Senior District Judge  
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